

EXPLANATORY STATEMENT

Jervis Bay Territory Acceptance Act 1915
Jervis Bay Territory Emergency Management Ordinance 2015

Direction in relation to emergency/emergency operation (Jervis Bay Territory)

The *Jervis Bay Territory Emergency Management Ordinance 2015* was made pursuant to Subsection 4F(1) of the *Jervis Bay Territory Acceptance Act 1915* which provides that the Governor-General to make Ordinances for the peace, order and good government of the Jervis Bay Territory (Territory).

Section 31(1) of the *Jervis Bay Territory Emergency Management Ordinance 2015* enables the Minister responsible for the Territory to direct that Part 4 of the Ordinance applies to an emergency operation in the Territory. The objective of Part 4 is to provide protection for Volunteer emergency workers who are absent from their place of employment in order to respond to emergencies.

The Minister has delegated the power, to provide protection for volunteer emergency workers, to specific official positions within the Commonwealth Department having responsibility for the administration of the Australian territories, currently the Department of Infrastructure and Regional Development (the Department).

A *Declaration of a State of Emergency (Jervis Bay Territory)*, having been made on 19 December 2019, declares that a state of emergency exists in the whole of the Jervis Bay Territory for the period starting 19 December 2019 to the end of 26 December 2019.

This Direction remains in place until midnight Thursday 26 December 2019 unless otherwise revoked.

The signatory of this Direction is such a delegate under the *Minister's Jervis Bay Territory Emergency Management Ordinance Delegation Instrument 2016 (No.1)* dated 27 January 2016.

The Australian Government policy objective is that services and protections in the Territory are similar to those provided in equivalent state communities in relation to emergency management and bushfire control. The Ordinance has been based on NSW legislation for two reasons: some emergency management services in the Territory are provided under contract by NSW organisations and harmonising emergency management regimes between NSW and the Territory will facilitate the cross-border provision of services and ensure residents and visitors to the Territory continue to enjoy similar protections to their NSW neighbours.

Consultation

No consultation was undertaken as the emergency operation is bushfire event threatening life, property and the natural environment.

Compatibility with Human Rights

This Direction, is a Legislative Instrument, compatible with the human rights and freedoms recognised or declared in the international instruments listed in Section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

This Legislative Instrument does not engage any of the applicable rights or freedoms.

This Legislative Instruments is compatible with human rights as it does not raise any human rights issues.